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### REMARKS

#### Amendment to Claims 44-45

Basis for the amendments to claims 44 and 45 can be found throughout the specification including, for example, at page 15, lines 17-18, page 16, lines 1-35 and Figure 3. No new matter has been added with the amendment.

#### New Claims 47-50

Basis for new claims 47-50 is found throughout the specification and claims, including, for example, in original claims 1, 2, 3, 4 and 6.

#### Rejection of Claims 44 and 45 under 35 U.S.C. 112, First Paragraph

Claims 44 and 45 have been rejected under 35 U.S.C. 112, first paragraph, "because the specification, while being enabling for a method for preventing specific disease such as meningitis which is caused by a capsulate bacterial in a mammal ..., does not reasonably provide enablement for preventing said disease in a patient". Applicants respectfully disagree with this assessment. However, to expedite allowance of the application and without acquiescing to the examiner's rejection, Applicants have amended claims 44 and 45 to relate to methods for immunising a mammal with a pharmaceutical composition of the invention. The deleted subject matter will be pursued in a Divisional application.

#### Rejection of Claim 46 under 35 U.S.C. 102(b)

Claim 46 has been rejected under 35 U.S.C. 102(b) as being anticipated by Eagle et al. (*J. Chem. Research Synoses*, 10:390 (1993) (Abstract only)).

Claim 46 has been replaced by new claim 47, which relates to modified capsular oligosaccharides and polysaccharides. Eagle's abstract does not disclose or suggest any

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oligosaccharides or polysaccharides. As such, Eagle does not anticipate claim 47.

Allowable Subject Matter

Applicant acknowledges with appreciation the examiner's determination that claims 1-43 are allowable.

Respectfully submitted,

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